

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 448 be amended to read as follows:

- 1 Page 10, after line 42, begin a new paragraph and insert:
- 2 "SECTION 8. IC 36-7-4-1210.5, AS AMENDED BY P.L.39-2007,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2009]: Sec. 1210.5. (a) ADVISORY. As used in this section,
- 5 "municipality" refers to the most populous municipality in the
- 6 jurisdiction of the plan commission.
- 7 (b) ADVISORY. This section applies to a plan commission
- 8 operating under a joinder agreement:
- 9 (1) in a county having a population of more than one hundred
- 10 eighty thousand (180,000) but less than one hundred eighty-two
- 11 thousand seven hundred ninety (182,790); and
- 12 (2) containing:
- 13 (A) a township having a population of more than eighteen
- 14 thousand (18,000) but less than twenty-five thousand (25,000);
- 15 or
- 16 (B) a township having a population of more than nine
- 17 thousand (9,000) but less than fifteen thousand (15,000).
- 18 (c) ADVISORY. Notwithstanding section 1210 of this chapter, a
- 19 plan commission described in subsection (b) shall have nine (9)
- 20 members as follows:
- 21 (1) Four (4) members who are residents of the municipality, to be
- 22 appointed for four (4) year terms by the executive of the
- 23 municipality.
- 24 (2) Three (3) members who are residents of the municipality, to

1 be appointed for four (4) year terms by the legislative body of the  
 2 municipality.

3 (3) Two (2) members who are residents of the township, to be  
 4 appointed for four (4) year terms by the township executive with  
 5 the approval of the township legislative body.

6 **(d) If a municipality annexes the area in which a member**  
 7 **appointed by a township under subsection (c)(3) resides, the**  
 8 **member shall complete the remainder of the member's unexpired**  
 9 **term.**

10 ~~(d)~~ (e) The joinder agreement expires if the municipality annexes  
 11 the entire area of a township described in subsection (b)(2).

12 ~~(e)~~ (f) A joinder agreement under this section may be terminated if:

13 (1) the municipality adopts an ordinance terminating the joinder  
 14 agreement;

15 (2) before adopting the ordinance under subdivision (1), the  
 16 municipality conducts a public hearing on the issue of terminating  
 17 the joinder agreement; and

18 (3) the executive of the municipality provides written notice to the  
 19 township executive of the township subject to the joinder  
 20 agreement that states the reason for the municipality's termination  
 21 of the joinder agreement."

22 Renumber all SECTIONS consecutively.

(Reference is to ESB 448 as printed April 10, 2009.)

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Representative Torr